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16 **UNITED STATES DISTRICT COURT**

17 **DISTRICT OF NEVADA**

18 STATE OF NEVADA,
19 Plaintiff,

20 v.

21 UNITED STATES, ET AL.,
22 Defendants,

23 and

24 STATE OF SOUTH CAROLINA,
25 Intervenor-Defendant.

Case No.: 3:18-cv-569-MMD-CBC

**STIPULATION AND ORDER
REGARDING REINSTATED MOTIONS**

1 The Plaintiff State of Nevada and the United States Defendants, by and through their
2 respective undersigned counsel of record, hereby stipulate and agree as follows:

3 1. On April 30, 2019, the Court denied certain motions as moot after staying the case
4 following Nevada's interlocutory appeal from the denial of its motion for preliminary injunction.
5 (ECF No. 112.) The Court stated: "All remaining pending motions (ECF Nos. 88, 92, 93, 108) are
6 denied as moot and without prejudice to the moving parties to request that the motion, if fully
7 briefed, be reinstated, or to filing a renewed motion within 14 days from the Ninth Circuit's
8 decision on Nevada's interlocutory appeal."

9 2. On August 15, 2019, after the Ninth Circuit dismissed Nevada's appeal as moot,
10 Nevada filed a Motion to Lift District Court Stay and Motion to Establish Briefing Schedule.
11 (ECF No. 116.) Nevada requested that the Court lift the previously imposed stay, set a briefing
12 schedule on Nevada's request to amend its complaint, and stay the 14-day deadline to renew or
13 reinstate the motions previously denied as moot.

14 3. On August 20, 2019, the Court entered an order lifting the stay and established a
15 briefing schedule on the motion for leave to amend, but still allowed all parties, if they chose, to
16 have certain motions renewed or reinstated sooner. (ECF No. 118.) The Court explained that it
17 was "permitting the parties to choose the route that is most efficacious for them in either
18 reinstating or renewing the motions the court relevantly denied as moot per the April order." The
19 Court "ordered that the parties who filed motions that were denied without prejudice when the
20 Court imposed the stay may (1) elect to seek reinstatement of the prior motions within 14 days
21 from the date of this order or (2) file renewed motions within 14 days from the Court's ruling on
22 Nevada's motion for leave to amend its Complaint."

23 4. On August 21, 2019, the United States Defendants filed a Motion for Extension of
24 Time for Responses to any Motion for Leave to Amend the Complaint, seeking an extension until
25 September 20, 2019. (ECF No. 119.) The United States filed an Errata to the same on August 26,
26 2019, (ECF No. 123), and the Court granted the extension on August 27, 2019. (ECF No. 124.)

27 5. Also, on August, 21, 2019, the United States Defendants filed a Notice of
28 Reinstatement of Motions for Protective Order (ECF No. 92) and Motion to Dismiss (ECF No.

93). (ECF No. 120.) The United States “request[ed], however, that any hearing or ruling on these Motions be delayed until either 1) the Court’s August 30 deadline for filing a motion for leave to amend the complaint expires without filing of any motion or 2) the Court has a chance to rule on any motion to amend the complaint.” The Court granted the request to reinstate on August 23, 2019. (ECF No. 122).

6. The parties have met, conferred, and agreed that judicial economy will be served if the Court extends Nevada’s deadline to file any response to the United States’ reinstated Motion for Protective Order (ECF Nos. 92, 120) and reinstated Motion to Dismiss (ECF Nos. 93, 120) until 14 days after the Court rules on Nevada’s forthcoming motion to amend the complaint.

7. Additionally, Nevada intends to reinstate its Countermotion for Leave to Conduct Discovery. (ECF. No. 108). Efficiency will also be served if the Court also extends the United States’ deadline to file any response to the Countermotion for Leave to Conduct Discovery until 14 days after the Court rules on Nevada’s forthcoming motion to amend the complaint.

8. By entering into this stipulation, the parties do not waive any arguments or rights.

DATED this 30th day of August 2019.

DATED this 30th day of August 2019.

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IT IS SO ORDERED.


MIRANDA M. DU
UNITED STATES DISTRICT JUDGE

DATED: September 3, 2019